

Message Text

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ACTION ARA-10

INFO OCT-01 EA-07 ISO-00 EB-07 COME-00 FMC-01 DOTE-00 CG-00

OPIC-03 H-02 CIAE-00 INR-07 NSAE-00 /038 W

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P R 112100Z AUG 75

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 6283

INFO AMEMBASSY QUITO

AMCONGEN GUAYAQUIL

AMEMBASSY TOKYO

C O N F I D E N T I A L LIMA 6498

E.O. 11652: GDS

TAGS: EINV, PFOR, PE, EC, EWWT

SUBJECT: MARCONA NATIONALIZATION - FURTHER MARCONA SHIPMENTS

DUE TO ARRIVE IN PERU

REFS: A) LIMA 6401, B) LIMA 6290 (BOTH NOTAL)

1. JAMES COMPTON OF MARCONA HEADQUARTERS, ACCOMPANIED BY ROBERT STEBBINGS OF HIS STAFF, CALLED ON THE AMBASSADOR MORNING OF AUGUST 11. THE AMBASSADOR FULLY BRIEFED THE MARCONA OFFICIALS ON RECENT DEVELOPMENTS DURING COMPTON'S ABSENCE FROM PERU DURING THE LATTER PART OF LAST WEEK. COMPTON MENTIONED THAT MARCONA, WHILE FULLY PREPARED TO NEGOTIATE WITH GOP AT A TIME AND PLACE OF THE GOP'S CHOOSING, NEVERTHELESS IS CONTEMPLATING THREE LEGAL STEPS, ONE INVOLVING THE DEPLETION ALLOWANCE (BEING REPORTED SEPTEL) AND TWO INVOLVING SHIPS NOW ON THE HIGH SEAS WHICH ARE CARRYING MARCONA'S CARGO DESTINED FOR PERUVIAN PORTS.

2. SHIP CASES INVOLVE:

A) PERUVIAN FLAG VESSEL INKA PACHACUTEC - THIS VESSEL HAS LEFT ITS LAST PORT OF CALL BEFORE REACHING PERUVIAN WATERS. MARCONA CALLED THE GERMAN MANUFACTURER OF THE SHIPMENT REQUESTING THAT THE DESTINATION OF THE CARGO BE
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CHANGED FROM PERU TO GUAYAQUIL. THE GERMANS CONTACTED

THE CAPTAIN WHO REFUSED TO COMPLY WITH THEIR REQUEST. THIS SHIP HAS NOW LEFT GUAYAQUIL FOR A PERUVIAN PORT, PRESUMABLY SAN JUAN. COMPTON SAID THAT MARCONA WILL REFUSE TO PAY FOR THE CARGO AND THAT EVENTUALLY HE PRESUMED THAT THE CHEMICAL COMPANY TO WHICH PAYMENT WILL BE DUE COULD EVENTUALLY SUE CPV (THE PERUVIAN SHIPPING LINE) IN FOREIGN (POSSIBLY GERMAN) COURTS. HE THOUGHT THAT THIS COULD CONCEIVABLY LEAD TO COURT ACTION TYING UP PERUVIAN VESSELS IN FOREIGN PORTS. HE SAID THAT THE CAPTAIN HAD BEEN ORDERED BY THE GOP TO DELIVER THE CARGO TO PERU, NOTWITHSTANDING THE DESIRES OF THE MANUFACTURER OR MARCONA.

B) VALLEO - THIS IS ANOTHER PERUVIAN FLAG VESSEL (CPV LINE) WHICH IS DUE TO CALL AT PUERTO BOLIVAR, ECUADOR, VERY SHORTLY WITH A C & F CARGO OF JAPANESE GOODS, UNDER CONSIGNMENT FROM MARCONA, TO THE MINE AT SAN JUAN. AT THE REQUEST OF MARCONA HEADQUARTERS, THE JAPANESE HAD REQUESTED THAT THE GOODS BE OFF-LOADED AT PUERTO BOLIVAR, AND MARCONA HAS SO ADVISED THE CPV AGENT IN SAN FRANCISCO. MARCONA HEADQUARTERS WILL ATTEMPT TO MAKE ARRANGMENTS FOR THE OFF-LOADING AT PUERTO BOLIVAR BUT DOUBTS, AS IN CASE A, WHETHER THE PERUVIAN CAPTAIN WILL COMPLY WITH SUCH A REQUEST. AS IN THE CASE OF THE INKA PACHACUTEC, MARCONA WILL REFUSE TO PAY, WHICH COULD LEAD TO A SUIT BY THE JAPANESE AGAINST CPV IN THEIR COURTS.
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